
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
THURSDAY MARCH 27, 2014

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held March 27, 2014, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

ABSENT: Trustee Scott 1.

PRESIDING: President and Trustee Kenneth Hauser.

Trustee Hauser called the meeting to order.

It was moved by Trustee Hamburger, seconded by Trustee Lappe, that the Board approve the minutes from the Investment Committee meeting held March 14, 2014, as presented.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Hamburger, that the Board approve the minutes from the regular meeting held February 27, 2014.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

A presentation by Jim Barrs and Deb Wyman of Robbins, Geller, Rudman & Dowd LLP regarding litigation that the Fund is involved was conducted. Upon completion of the presentation the recommendation was not to pursue this case further.

It was moved by Trustee Neely, seconded by Trustee Maloney, that the Board discontinue the litigation against Expedia.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

The Board secretary conducted the agenda as follows.

PAGE NO. REFERENCE

1 - 6 Incurred Expenses for the Month of March 2014.

It was moved by Trustee Hamburger, seconded by Trustee Hauser that the Board approve the Obligations as detailed on pages 1 through 6.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

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PAGE NO. REFERENCE

7 - 9 Refunds of Contributions; Withdrawal of Service, Exempt Rank and Widow's Annuity Accumulations.

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board approve the Refunds as detailed on pages 7 through 9.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

10 – 11 Refunds to Heirs of Deceased Annuitants.

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the Refunds as detailed on pages 10 and 11.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

12 - 13 Annuities to Retired Employees (summary pg. 14)

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Annuities as detailed on pages 12 and 13.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

15 - 16 Annuities to Widows (summary pg. 17)

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the Annuities to Widows as detailed on pages 15 and 16.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

18 Annuities to Children

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board approve the application for Annuities to Children as detailed on page 18.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

19 - 20 Occupational/Duty Disability Benefit Claims

a) Burg, Jason C.

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Lappe that the Board move to grant the officer, subject to a full evidentiary hearing ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

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19 - 20 Occupational/Duty Disability Benefit Claims

b) Enriquez, Elizabeth

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Lappe that the Board move to grant the officer, subject to a full evidentiary hearing ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

c) Lifonti, Robert C.

Based on the medical reports, it was moved by Trustee Lappe, seconded by Trustee Neely that the Board move to grant the officer, subject to a full evidentiary hearing ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

d) Munno, Maryann

Based on the medical reports, it was moved by Trustee Wright, seconded by Trustee Hauser that the Board move to grant the officer, subject to a full evidentiary hearing ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

e) Saladina, Michael V.

Based on the medical reports, it was moved by Trustee Neely, seconded by Trustee Hauser that the Board move to grant the officer, subject to a full evidentiary hearing ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

21 - 22 Payments of Death Benefits [Summary pg. 23]

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Death Benefits as detailed on pages 21 and 22.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

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PAGE NO. REFERENCE

MISCELLANEOUS

24 CLAIM FOR CHILD DISABILITY BENEFITS

Blair, Patrick

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board defer this matter.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

25 CLAIM FOR CHILD DISABILITY BENEFITS

Bond, Ward

Pursuant to the Statute and documentation verified, it was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the child disability benefits as detailed on page 25.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

26 CLAIM FOR CHILD DISABILITY BENEFITS

Greif, Robert F.

Pursuant to the Statute and documentation verified, it was moved by Trustee Neely, seconded by Trustee Lappe that the Board approve the child disability benefits as detailed on page 26.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

27 PETITIONS FOR PENSION CREDIT FOR PRIOR COOK COUNTY
SERVICE UNDER 5-214(c)

Documentation verified, it was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the prior cook county service petitions as detailed on page 27.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

28 PETITIONS FOR PENSION CREDIT FOR PRIOR MILITARY
SERVICE UNDER 5-214.3

Documentation verified, it was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the prior military service petitions as detailed on page 28.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

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PAGE NO. REFERENCE

29 REQUEST FOR PENSION CREDIT WHILE ON LEAVE OF ABSENCE

Armstead, Felicia

Documentation verified, it was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the leave of absence pension credit petition as detailed on page 29.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

30 REQUEST FOR PENSION CREDIT WHILE ON LEAVE OF ABSENCE

Cooper, Cary M.

Documentation verified, it was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the leave of absence pension credit petition as detailed on page 30.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

31 REQUEST FOR PENSION CREDIT WHILE ON LEAVE OF ABSENCE

Rivery Medina, Debi

Documentation verified, it was moved by Trustee Neely, seconded by Trustee Hamburger that the Board approve the leave of absence pension credit petitions as detailed on page 31.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

Pending cases were reviewed. *It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board grant the requested continuance on the disability hearing of **Cheryl Rycraw**.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

The President called for motions to adopt the orders as presented on Michaeline Maciejewski, Frederick King and Angel Gavin.

*It was moved by Trustee Wright, seconded by Trustee Lappe that the Board adopt the Board's written order in the matter of **Michaeline Maciejewski**, which denies her petition for pension credit for prior service.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Wright 5.

Absent: Avila, Scott 2.

Against: Neely 1.

MINUTES CONTINUED

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*It was moved by Trustee Neely, seconded by Trustee Wright that the Board adopt the Board's written order in the matter of **Frederick King**, which acknowledges his withdrawal of a duty disability claim and awards the ordinary disability application based on medical reports submitted.*

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

*It was moved by Trustee Wright, seconded by Trustee Lappe that the Board adopt the Board's written order in the matter of **Angel Gavin**, which awards an occupational disease disability benefit based on medical reports submitted.*

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board go into Executive Session pursuant to 2(c)(11) to discuss possible litigation.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Lappe to exit the Executive Session.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

Before proceeding with the scheduled hearings, President Hauser read into the record that the Board is directing the Executive Director, Regina Tuczak, to sign the 'Settlement Agreement' with Officer **Michael Webb**.

HEARINGS

32 FELONY CONVICTION

Beavers, William

Attorney Thomas Needham was present on behalf of William Beavers, accompanied by Mr. Beaver's daughter, Darcel Beavers. After reviewing the documents submitted in this matter and a brief synopsis by Mr. Needham *it was moved by Trustee Wright, seconded by Trustee Lappe, that the Board allow William Beaver's pension to continue without interruption.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Neely, Scott 2.

Against: 0.

DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEWS

33 Blair, Patrick

It was moved by Trustee Neely, seconded by Trustee Hamburger, that the disability status review on Patrick Blair be continued.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

MINUTES CONTINUED

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DUTY DISABILITY STATUS REVIEWS

34

Janda, Liane

This matter was previously before the Board at the meeting held January 30, 2014, at which time it was continued to allow Officer Janda to qualify with her firearm at the CPD gun range. **Liane Janda** appeared again before the Board on a status review of her duty disability benefits. After reviewing additional documents submitted and hearing testimony, *it was moved by Trustee Neely, seconded by Trustee Lappe that the Board go into Executive Session pursuant to 2(c)(11), possible litigation.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Wright that the Board exit the Executive Session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

The Board requested to re-open the hearing for additional questioning of Officer Janda.

Upon completion of the questioning *it was moved by Trustee Wright, seconded by Trustee Neely, that the Board approve and direct Officer Janda to complete an Independent Medical Evaluation in four (4) months, with a status review in six (6) months.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

35

Lange, Jimmie

This matter was previously before the Board at the meeting held February 27, 2014, at which time it was continued to obtain more current medical. **Jimmie Lang** appeared again before the Board on a status review of his duty disability benefits. Testimony was taken and review of additional documents was completed. *It was moved by Trustee Maloney, seconded by Trustee Neely that the Board go into Executive Session pursuant to 2(c)(11), possible litigation.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board exit the Executive Session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Neely, that the Board terminate disability benefits, as Jimmie Lange is no longer disabled as defined under the Act.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

MINUTES CONTINUED

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DUTY DISABILITY STATUS REVIEWS

36

McCourt, Joseph

This matter was previously before the Board at the meeting held January 30, 2014, at which time it was continued to allow Officer McCourt to qualify with his firearm at the CPD gun range. **Joseph McCourt** appeared again before the Board on a status review of his duty disability benefits. After reviewing additional documents submitted and hearing additional testimony, *it was moved by Trustee Lappe, seconded by Trustee Maloney that the Board go into Executive Session pursuant to 2(c)(11), possible litigation.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Neely, Scott 2.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board exit the Executive Session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Neely, Scott 2.

Against: 0.

Attorney for the Board addressed Officer McCourt, and his counsel, on the Board's findings. The Board is prepared to continue the duty disability benefit Officer McCourt is currently receiving. However, Officer McCourt is requested to return to his attending physician to have the current restrictions concerning his non-duty health issues addressed and resolved. After Officer McCourt's medical restrictions are resolved, he should attempt to qualify at the gun range. The Board will revisit this matter in six (6) months, September of this year.

37

DUTY DISABILITY CLAIMS

McVey, Brian

Brian McVey appeared before the Board on his application for a duty disability benefit. After hearing testimony and reviewing documentation submitted, *it was moved by Trustee Wright, seconded by Trustee Lappe that the Board award duty disability benefits.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

It was then moved by Trustee Wright, seconded by Lappe, that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

Rycraw, Cheryl – matter continued.

Tarasiuk, Johnny

Johnny Tatasiuk appeared before the Board on his application for a duty disability benefit. After hearing testimony and reviewing documentation submitted, *it was moved by Trustee Maloney, seconded by Trustee Wright that the Board award duty disability benefits from the date Officer Tarasiuk was out of salary until the date of his reinstatement to duty with the CPD on March 18, 2014.*

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

MINUTES CONTINUED

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It was then moved by Trustee Wright, seconded by Neely, that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Hamburger, Hauser, Lappe, Maloney, Neely, Wright 6.

Absent: Avila, Scott 2.

Against: 0.

The Executive Director's report to the Board members included updates on disability applicants/recipients.

Duty disability claimant Officer **Patricia Ferraro** had an Independent Medical Evaluation completed; the results of which recommended a Functional Capacity Evaluation to be completed. This member is receiving, based on the medical reports and subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

It was moved by Trustee Neely, seconded by Trustee Hamburger that the Board approve the recommended FCE for disability claimant Patricia Ferraro.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

Duty Disability status review on **Robert Zadrozny**, at the Board's request, continue this review to next month. *It was moved by Trustee Neely, seconded by Trustee Maloney that the Board approve the continuance for disability review of Robert Zadrozny.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

Various conferences scheduled for 2014 were discussed.

It was moved by Trustee Maloney, seconded by Trustee Hamburger that the Board approved the Fund's Executive Director and Assistant Comptroller to attend this year's GFOA annual conference.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

All business concluded for this date, March 27, 2014, *it was moved by Trustee Hamburger, seconded by Trustee Wright that this meeting be adjourned.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Neely, Scott 2.

Against: 0.